

# **EXHIBIT B**

TO THE DECLARATION OF MICHAEL C. HARTMERE

# VENABLE<sup>®</sup> LLP



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## AREAS OF PRACTICE

Commercial Litigation  
 Advertising and Marketing Litigation  
 Intellectual Property Litigation  
 Trademark Litigation  
 Patent Litigation  
 Regulatory  
 Advertising and Marketing  
 Class Action Defense  
 Employee Mobility and Trade Secrets

## INDUSTRIES

Consumer Financial  
 Protection Bureau Task Force  
 Consumer Products and Services  
 Financial Services  
 Government Contractors  
 New Media, Media and Entertainment

## BAR ADMISSIONS

Virginia  
 District of Columbia

Damon Wright is a first-chair trial attorney who focuses on commercial, business tort, intellectual property, and advertising litigation. He began his Venable career in 1997 following a federal judicial clerkship. In courtrooms and forums throughout the country, Mr. Wright has prevailed for clients in business tort and contract cases; advertising, intellectual property and trade secret disputes; securities and shareholder claims; RICO, class action and consumer protection cases; professional liability matters; and government investigations. His clients include retailers, technology companies, government contractors, financial services firms, trade associations, investment groups, product manufacturers and professionals.

Whether with day-to-day counseling or bet-the-company litigation, Mr. Wright serves clients as a zealous, effective advocate and a prudent, thoughtful counselor. A stand up trial lawyer, Mr. Wright also understands how to target effective discovery to resolve a case quickly and successfully through motions practice, summary judgment or mediation. He serves as DC Partner-In-Charge of Venable's Electronic Discovery Task Force, has a national litigation practice, and considerable experience litigating in the U.S. District Courts for the Eastern District of Virginia, the District of Columbia and the District of Maryland. Mr. Wright is AV® Peer-Review Rated by Martindale-Hubbell.

## SIGNIFICANT MATTERS

In addition to government investigations and other matters resolved on confidential terms, Mr. Wright's recent matters include:

- Obtained preliminary injunction and then favorable settlement on behalf of national beauty product retailer in federal trademark infringement, trade dress infringement and misappropriation case against competitor.
- Represented national computer retailer in defense of FTC investigation resulting in closed investigation and no enforcement action.
- Won sanctions, summary judgment and affirmance on appeal for government contractor in federal trademark infringement, fraud, and breach of duty of loyalty case brought by competitor.
- At trial, successfully represented newspaper in trademark infringement case against competitor, obtaining permanent injunction requiring that defendant change its name.
- Represented telecom services provider in federal patent infringement and trade secret misappropriation case against competitor, obtaining evidence that led to grant of pretrial motions and favorable settlement.
- Won sanctions, summary judgment and affirmance on appeal in consumer protection case, with federal court awarding all actual damages, treble damages and attorney's fees.
- At trial, successfully represented national credit card company in contract and unjust enrichment case, with court entering judgment for defendant and requesting plaintiff be prosecuted for perjury.
- At trial, successfully represented software company founders against publicly-traded corporation

**COURT ADMISSIONS**

U.S. District Court for the Eastern District of Virginia  
 U.S. District Court for the Western District of Virginia  
 U.S. District Court for the District of Columbia  
 U.S. District Court for the District of Maryland  
 U.S. Bankruptcy Court for the Eastern District of Virginia  
 U.S. Bankruptcy Court for the District of Columbia  
 U.S. Bankruptcy Court for the District of Maryland  
 U.S. District Court for the District of Nebraska  
 U.S. District Court for the Northern District of Ohio  
 U.S. District Court for the Eastern District of Texas  
 U.S. District Court for the Southern District of Texas  
 U.S. Court of Appeals for the D.C. Circuit  
 U.S. Court of Appeals for the Fourth Circuit  
 U.S. Court of Appeals for the Ninth Circuit  
 U.S. Tax Court  
 U.S. Supreme Court

**EDUCATION**

J.D., George Mason University School of Law, 1996

B.S., Political Science, *cum laude*, James Madison University, 1993

**JUDICIAL CLERKSHIPS**

Honorable Barry R. Poretz, U.S. Magistrate Judge, U.S. District Court for the Eastern District of Virginia, 1996 - 1997

**MEMBERSHIPS**

in federal securities fraud, stock conversion and shareholder dispute, with relief including sanctions, compensatory and punitive damages.

- Won permanent injunction of FINRA proceeding and dismissal of state court proceeding on behalf of national investment advisory firm.
- At trial and on appeal, successfully represented federal savings bank in TILA case, obtaining dismissal of case and two related actions.
- Represented high net worth clients in nationwide tax shelter suits against national accounting firm, obtaining evidence that led to partial summary judgment, favorable settlements and parallel federal criminal prosecution.
- At trial, successfully represented U.A.E. company and principals, obtaining dismissal of federal export law violations.
- At trial, successfully represented real estate holding company in judicial dissolution and shareholder deadlock case, with court adopting all proposed factual findings and legal conclusions.
- Obtained withdrawal of guilty plea and dismissal of indictment stemming from highly-publicized FCPA sting involving fictitious transaction with the government of Gabon.
- Argued successful appeal to D.C. Circuit in civil rights action, negotiated comprehensive settlement with District of Columbia and obtained permanent equitable relief for several thousand persons who were unlawfully arrested.
- Resolved a trademark dispute for DC-based distillery after seeking a declaratory judgment to protect its trademark in DC federal court.

**ACTIVITIES**

Mr. Wright has served for years as an Officer and Board member of the Northern Virginia Chapter of the Federal Bar Association, comprised of attorneys who actively practice in the U.S. District Court for the Eastern District of Virginia, known as the "The Rocket Docket." He is a Master with the William B. Bryant Inn of Court, comprised of trial attorneys who actively practice in the U.S. District Court for the District of Columbia. Mr. Wright regularly writes, lectures, and teaches on litigation procedure, litigation strategy, and trial advocacy subjects.

Mr. Wright served as Chair of "Robes In The Schools" for Just The Beginning Foundation ("JTBF"), an organization founded by African-American federal judges dedicated to promoting diversity in the legal profession. In this capacity, he developed and organized a program which brings judges together with high school students to share their personal stories of overcoming obstacles and pursuing pathways for success. For this and other service, Mr. Wright has been honored as a JTBF Diversity Champion. Mr. Wright also serves as outside general counsel for National Assembly Business Services, the for-profit subsidiary of the National Human Services Assembly whose members include the Salvation Army, AARP, and United Way of America.

In his spare time, Mr. Wright sails on the Chesapeake Bay, plays soccer and coaches youth soccer teams, and most importantly enjoys trying to keep up with his three kids.

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Bryant Inn of Court  
Federal Bar Association  
American Bar Association  
Fairfax Bar Association  
George Mason University  
Law School Alumni  
Association